

- C4
39. (Amended) An apparatus as set forth in claim 38 further comprising:
means for assigning a logical identifier to the digital data call; and
means for associating the call with the digital subscriber line.

Please add new claim 40:

- C5
- 40. An apparatus as set forth in claim 38 where the termination unit comprises
a basic rate interface, remote line termination unit, a remote data terminal, or a
subscriber line interface circuit.--

REMARKS

Claims 32-39 were initially pending in this application. In the office action mailed May 23, 2002, claims 32-39 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 5,668,857 (McHale) (office action ¶ 4, pages 3-4). The claims have been amended as set forth above and reconsideration is respectfully requested. New dependent claim 40 is presented for consideration.

Although claims 32-39 were rejected in view of U.S. Patent No. 5,668,857 (McHale), this reference does not disclose, teach, or suggest the claimed steps or elements set forth in the amended claims. For example, claim 32 recites that the digital data call is acquired at the termination unit, where the subscriber line terminates. In Mchale, the data calls are redirected at a splitter 50, ahead of the point where the subscriber lines terminate (see, e.g., column 4, lines 40-41), and, therefore, the claim language does not read on Mchale. Moreover, the applicant's invention avoids the need for the splitter; routing of the call occurs at the termination unit in the applicant's invention. Further, there is no suggestion in any reference to combine or modify its

respective technologies in such a fashion to achieve the applicant's claimed method and apparatus.

In summary, independent claims 32 and 38 are allowable and therefore dependent claims 33-37, and 39, and newly-presented dependent claim 40 are also allowable. A version of the claims illustrating the changes made is set forth on the following pages. Therefore, the applicant respectfully requests that the examiner pass the application to allowance.

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Respectfully submitted,



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Changes Made to the Claims:

32. (Twice Amended) A method for [sending data,] routing a digital data call to a destination, where the digital data call is received on a subscriber line connected to a [subscriber line module] termination unit communicating with a switch in a central office [comprising a switch, directly to a router] , comprising [the steps of] :

[at the subscriber line module, intercepting the data on the subscriber line]
acquiring the digital data call at the termination unit ; and

[sending the data directly to the router while bypassing] routing the digital data call to the destination on a channel external to the switch.

33. (Amended) A method as set forth in claim 32 where the step of [intercepting] acquiring the digital data call includes the step of [intercepting] acquiring the [data] call ahead of [a] the switch.

34. (Amended) A method as set forth in claim 32 where the step of [intercepting] acquiring the digital data call includes the step of [intercepting] acquiring the [data] call ahead of a switching network.

35. (Amended) A method as set forth in claim 32 where the step of [intercepting] acquiring the digital data call includes the step of [intercepting] acquiring the [data] call ahead of a switch interface module.

36. (Amended) A method as set forth in claim 32 where the step of [intercepting] acquiring the digital data call includes the step of [intercepting] acquiring the [data ahead of] call at a basic rate interface, a remote line termination unit, a remote data terminal, or a subscriber line interface circuit [in communication with the subscriber line module].

37. (Amended) A method as set forth in claim 32 further comprising [the steps of] :

assigning a logical identifier to the digital data call; and

associating the [data] call with the subscriber line.

38. (Twice Amended) An apparatus for [sending data,] routing a digital data call to a destination, where the digital data call is received on a subscriber line connected to a [subscriber line module] termination unit communicating with a switch in a central office [comprising a switch, directly to a router] , comprising:

[means, at the subscriber line module, for intercepting the data on the subscriber line] a termination unit, comprising means for acquiring the digital data call ; and

[means for sending the data directly to the router while bypassing] a channel for routing the digital data call from the termination unit to the destination, where the channel is external to the switch.

39. (Amended) An apparatus as set forth in claim 38 further comprising:

means for assigning a logical identifier to the digital data call; and

means for associating the [data] call with the digital subscriber line.